



TNRCC REGULATORY GUIDANCE

Municipal Solid Waste Division

RG-29

September 1996

SUBJECT: What Is “Special Waste”?

To Find Out, Answer These Questions

To find out whether you have a special waste, answer the following questions.

- By process knowledge or chemical analysis, is the waste contaminated with any hazardous substances found in Title 40 Code of Federal Regulations (CFR), Part 261, Appendix VIII?
- Is it large or bulky; a liquid; a containerized liquid; or a containerized gas?
- Is it noxious or likely to attract disease vectors?
- Before or during disposal, will it require treatment or special handling (e.g., immediate burial, worker protection, solidification, bio-remediation, analysis, engineering controls or any other special preparation to receive the waste) because of its quantity, concentration, or physical or chemical characteristics ?
- Is it a regulated medical waste or a waste from a health-care-related facility?
- Is it a substance controlled by the Drug Enforcement Agency (DEA) or the Food and Drug Administration (FDA)?
- Does it contain, or is it contaminated with, PCB's?
- Is it a waste resulting from the exploration, production, or development of oil, gas, or geothermal resources (from facilities regulated by the Railroad Commission of Texas— RRC)?
- Is it reactive, corrosive, ignitable, or toxic?
- Is it contaminated with any petroleum hydrocarbons?
- Was the waste generated outside Texas, other than household waste?
- Is the waste specifically listed under 30 TAC Section 330.2, relating to the definition of special waste?

If you answered “**yes**” to any of the above questions, and the waste is to be disposed of in a landfill permitted by TNRCC’s Municipal Solid Waste (MSW) Division, **then your waste is a special waste and requires approval from TNRCC before acceptance of the waste into a municipal solid waste landfill.**

To receive authorization for disposal, please submit form TNRCC-0152 with appropriate analytical reports to the Technical Assistance Team, Permits Section/MC 124, Municipal Solid Waste Division, P.O. Box 13087, Austin, Texas 78711-3087. For more information call (512) 239-6781

“When in doubt, it is a special waste.”

Wastes That Do *Not* Require Approval before Disposal

The following specific special wastes **do not** require agency approval before disposal, with the noted provisions.

- wastes from health-care-related facilities that have been treated in accordance with the specific procedures in 30 TAC Sections 330.1001-1009, relating to medical waste management;
- dead animals that are covered immediately with three feet of other solid waste or two feet of soil;
- nonregulated asbestos-containing material;
- regulated asbestos-containing material in approved Type I facilities provided the conditions outlined in 30 TAC Section 330.136(b)(3), relating to disposal of regulated asbestos-containing material, have been met;
- empty containers that held pesticides, herbicides, fungicides, or rodenticides and that have been triple rinsed and rendered unusable—provided that the containers are covered by the end of the same day they were received;
- empty containers that cannot be triple rinsed but not exceeding 220 pounds (100 kilograms) monthly from a single generator, in Type I facilities;
- hazardous waste from CESQGs (Conditionally Exempt Small Quantity Generators) but not exceeding 220 pounds (100 Kg) from a single generator per month, in Type I facilities;
- sludges, grit trap waste, grease trap waste, or liquid wastes **from municipal sources**—provided that the waste has been, or is to be, treated to pass the paint filter test (EPA Method 9095), in Type I facilities that have been approved to process liquids;
- certain specific wastes generated by facilities regulated by the Railroad Commission of Texas (see TNRCC publication RG-3 for details);
- petroleum-contaminated soils that meet the requirements of the current TNRCC soils policy;
- nonhazardous auto shredder fluff; and
- wastes that do not require special handling.

Regulations covering the management of special waste may be found in Title 30 Texas Administrative Code (TAC) Section 330.136 and Section 330.137. The definition of “special waste” may be found in 30 TAC Section 330.2, relating to definitions.